

TOWN OF DAVIE
TOWN COUNCIL AGENDA REPORT

TO: Mayor and Councilmembers

FROM/PHONE: Mark A. Kutney, AICP, Development Services Director/(954)797-1101

PREPARED BY: David M. Abramson, Acting Deputy Planning and Zoning Manager

SUBJECT: Site Plan Modification Application: SPM 11-6-05/06-13/Weston Nissan-Volvo Dealership/3650 – 3660 Weston Road/Generally located at the southeast corner of Weston Road and Southwest 36th Street

AFFECTED DISTRICT: District 4

ITEM REQUEST: **Schedule for Council Meeting**

TITLE OF AGENDA ITEM: SPM 11-6-05/06-13/Weston Nissan-Volvo Dealership

REPORT IN BRIEF:

The petitioner (Kurt D. Zimmerman, P.A.) is requesting site modification approval for a new vehicular storage area (surface parking) and off-site drainage area. The new surface parking will be located on the subject site, which also presently being utilized as vehicular sales (Weston Nissan – Volvo Dealership). The petitioner plans to fill-in an existing lake located in the northern portion of subject site, eliminating the existing on-site drainage area, and constructing a concrete parking area for vehicle storage associated with the dealership.

The petitioner then plans to utilize a portion of a parcel located on the southwest corner of Interstate-75 and Southwest 36th Street (Southpost Road) for off-site drainage. A 66” steel pipe is being proposed underneath Interstate-75 leading from the subject site to the off-site drainage area. This pipe will allow the transfer of water from subject site to the off-site drainage area in attempts to meet drainage calculation requirements. The off-site drainage area is designed for dry retention and the existing archaeological mound will remain protected by an easement.

Vehicular access onto the subject site is through an existing opening along the western boundary line off Southwest 160th Avenue (Weston Road). The proposed vehicular storage area will be accessible from internal parking aisles. The subject site presently meets parking regulations as required by Land Development Code. The petitioner is

proposing 251 additional new car parking spaces and 46 additional storage parking spaces as part of this site plan modification application.

The proposed vehicular storage area is allowable within automobile dealerships and is a consistent use along Weston Road. Additionally, the proposed off-site drainage area can be considered compatible and is permitted with residential uses east of Interstate-75.

PREVIOUS ACTIONS: n/a

CONCURRENCES:

At the August 7, 2007 Site Plan Committee meeting, Mr. Breslau made a motion, seconded by Vice-Chair Engel, to approve Site Plan Modification Application, SPM 11-6-05 Weston Nissan-Volvo Dealership subject to the following conditions: 1) with regard to staff's recommendation number one, that it be deleted; 2) that staff's recommendation number two, in lieu of the trees being planted, the applicant shall pay the Town the actual cost they were going to spend on that requirement and pay it at the time of building permit issuance, and the Town would be able to use that money at its discretion for planting elsewhere in the Town; 3) that the applicant has agreed to staff's recommendation number three; and 4) the applicant has agreed to the modification of lighting levels in the new parking lot area only not to exceed 25-foot candles in any parking space area unless it abuts a light pole. **(Motion carried 3-0, Ms. Lee and Mr. Venis were absent)**

FISCAL IMPACT: not applicable

Has request been budgeted? n/a

RECOMMENDATION(S):

Staff finds the application complete and suitable for transmittal to the Site Plan Committee and Town Council for further consideration. The following condition shall be met prior to final site plan approval:

1. Staff recommends executing a deed restriction (recorded at Broward County Records) on the off-site drainage parcel to be use for retention purposes only.
2. Staff recommends perimeter canopy trees within code required landscape buffers (exclusive of the proposed drainage easement), fourteen (14) to sixteen (16) feet in height, forty (40) feet on-center along the property lines of parcel the to be used as drainage.
3. Staff recommends that the bridle path be relocated prior to the construction of new vehicular storage area (surface parking).
4. Staff recommends removing all exotic (invasive) plants within the subject site, as well as within adjacent right-of-ways.

Attachment(s):

Staff Report, Site Plan

Exhibit “A”

Application: SPM 11-6-05/06-13/Weston Nissan-Volvo Dealership

Original Report Date: 7/25/07

Revision(s): 8/9/07

TOWN OF DAVIE
Development Services Department
Planning & Zoning Division
Staff Report and Recommendation

Applicant Information

Owner:

Name: Plantation Sales, Inc.
Weston Nissan – Volvo Dealership
Address: 3650 – 3660 Weston Road
City: Davie, Florida 33331

Petitioner:

Name: Kurt D. Zimmerman, P.A.
Address: 4875 North Federal Highway, 7th Floor
City: Fort Lauderdale, Florida 33308
Phone: (954) 202-7761

Background Information

Application Request: The petitioner requests site plan approval for a new vehicular storage area (surface parking) on the subject site (Weston Nissan/Volvo Dealership) and an off-site drainage area

Address: 3650 – 3660 Weston Road

Location: Generally located at the southeast corner of Weston Road and Southwest 36th Street

Future Land Use Plan Map: Commercial

Existing Zoning(s): BP, Business Park District (Weston Nissan/Volvo Dealership)
AG, Agricultural District (Off-site drainage)

Proposed Zoning(s): n/a

Existing Use(s): Weston Nissan – Volvo Dealership

Proposed Use(s): New vehicular storage area (surface parking) on the subject site and an off-site drainage area

Parcel Size: Approximately 8.675 Acres (Weston Nissan/Volvo Dealership)

Approximately 5.5 Acres (Off-site drainage)

Proposed Density: n/a

		<u>Surrounding Land</u>		
		<u>Use</u>	<u>Plan</u>	<u>Map</u>
		<u>Designation(s):</u>		
North:	Right-of-way (Southwest 36 th Street)	Transportation		
South:	Vacant	Commercial		
East:	Right-of-way (Interstate – 75)	Transportation		
West:	Not in the Town of Davie (The City of Weston)	n/a		
		<u>Surrounding Zoning(s):</u>		
North:	T, Transportation District			
South:	BP, Business Park District			
East:	T, Transportation District			
West:	Not in the Town of Davie (The City of Weston)			

Zoning History

Related zoning history:

Rezoning Application (ZB 11-3-06 Davie Nissan-Volvo Dealership), at the March 6, 1996 Town Council Rezoning Application, ZB 11-3-95 was approved on the second reading which rezoned the 115 acre site consisting of the “ICW North” and “ICW South” Plats from A-1, Agricultural District, to BP, Business Park District.

Rezoning Application (ZB 10-1-96 Davie Nissan-Volvo Dealership), at the January 8, 1997 Town Council, Rezoning Application, ZB 10-1-96 was approved on the second reading amending the conceptual master plan to provide for common areas, lake parcels and proposed uses of land for the “ICW North Plat.”

Previous requests on same property:

Plat Application, at the July 17, 1996 Town Council meeting, Plat Application was approved for “ICW North Plat.” The plat was then later recorded by Broward County on October 30, 1997 in Plat Book 163, Page 48 of the Broward County Records.

Delegation Application (DG 7-1-99 Davie Nissan-Volvo Dealership), at the July 21, 1999 Town Council meeting, Delegation Application for a plat note amendment was approved to provide for an increase of 45,000 square feet of commercial use for land within the “ICW North Plat.”

Site Plan Application (SP 10-4-99 Davie Nissan-Volvo Dealership), at the December 15, 1999 Town Council meeting, Site Plan Application, SP 10-4-99 Davie Nissan-Volvo was approved.

Concurrent Request(s) on same property: n/a

Applicable Codes and Ordinances

The effective Code of Ordinances governing this project is the Town of Davie Land Development Code.

Land Development Code (Section 12-24 (G) Business Park (BP) District: The Business Park (BP) District is intended to be used to promote modern campus types of industrial, office, distribution and service business areas where a wide variety of uses can be built in an attractive environment with substantial open areas on the periphery of the development.

Land Development Code (Section 12-54), Conventional Nonresidential Development Standards for BP, Business Park District, minimum lot area 43,560 sq. ft., maximum FAR 31%, and minimum landscape ration requirement is 30%.

Land Development Code (Section 12-208 (A)(19)), Requirements for off-street parking: Minimum parking requirement of one (1) space for each one hundred fifty (150) square feet of repair, office and showroom plus one (1) space for each five hundred (500) square feet of outdoor display area.

Comprehensive Plan Considerations

Planning Area:

The subject property falls within Planning Area 1. This Planning Area constitutes the southwestern most portion of the Town, encompassing all of the land south of Griffin Road and west of southwest 148 Avenue. The Ivanhoe development constitutes most of this planning area, which is essentially programmed for low density (3 dwellings per acre) residential development. There are parcels designated for commercial use located in the southern and northern ends of the Ivanhoe development at the intersection of I-75 with Sheridan and Griffin Roads, and Orange Drive.

Broward County Land Use Plan:

The subject site falls within Flexibility Zone 113.

Applicable Goals, Objectives & Policies:

Future Land Use Plan, Policy 5-2: The (re)zoning, (re)platting, and site planning of land shall be in compliance with the density ranges shown on the Davie Future Land Use Plan map and the applicable Future Land Use Designation provisions as contained in the Permitted Use portion of the Implementation Section.

Future Land Use Element, Policy 17-1: Lands designated for non-residential use shall be located in a manner, which facilitates development, but does not adversely impact existing and designated residential areas.

Future Land Use Plan, Policy 17-3: Each development proposal shall be reviewed with respect to its compatibility with adjacent existing and planned uses.

Application Details

The petitioner's submission indicates the following:

1. *Site:* The petitioner (Kurt D. Zimmerman, P.A.) is requesting site modification approval for a new vehicular storage area (surface parking) and off-site drainage area. The new surface parking will be located on the subject site, which also presently being utilized as vehicular sales (Weston Nissan – Volvo Dealership). The petitioner plans to fill-in an existing lake located in the northern portion of subject site, eliminating the existing on-site drainage area, and constructing a concrete parking area for vehicle storage associated with the dealership.

The petitioner then plans to utilize a portion of a parcel located on the southwest corner of Interstate-75 and Southwest 36th Street (Southpost Road) for off-site drainage. A 66" steel pipe is being proposed underneath Interstate-75 leading from the subject site to the off-site drainage area. This pipe will allow the transfer of water from subject site to the off-site drainage area in attempts to meet drainage calculation requirements. The off-site drainage area is designed for dry retention and the existing archaeological mound will remain protected by an easement.

2. *Architecture:* The petitioner is not proposing any new vertical structure with this application.
3. *Access and Parking:* Vehicular access onto the subject site is through an existing opening along the western boundary line off Southwest 160th Avenue (Weston Road). The proposed vehicular storage area will be accessible from internal parking aisles. The subject site presently meets parking regulations as required by Land Development Code. The petitioner is proposing 251 additional new car parking spaces and 46 additional storage parking spaces as part of this site plan modification application.
4. *Lighting:* The petitioner is proposing light poles throughout the new vehicular storage area. The lighting design meets Land Development Code requirements with maximum foot-candles of 1 at the property lines.
5. *Signage:* The petitioner's signage is not part of this site plan modification application. All signs shall meet code prior to the issuance of a building permit.
6. *Landscaping:* The petitioner's landscaping meets the minimum requirements as indicated in the Town of Davie, Land Development Code, BP, Business Park District. The landscape plan indicates new Pigeon Plum, Dwarf Fire Bush, and Red Tip Cocoplum as typical planting within the northern landscape buffer. Additionally, relocated plants including Sabal Palms, Crape Myrtles, Bald Cypress, and Pink Tabebuias are to be also relocated within this landscape buffer.
7. *Drainage:* Approval from appropriate drainage district shall be obtained prior to final Planning and Zoning Divisions signing-off of plans and the issuance of any site development permits. In attempts to meet requirements, the petitioner is utilizing an off-site drainage area.
8. *Trails:* The petitioner proposes to relocate an existing ten (10) foot bridle path easement from around the existing lake, to extend out to the eastern boundary line of the subject site.
9. *Flexibility Rule:* The petitioner is not proposing to utilize the flexibility rule in accordance in accordance with the Land Development Code, Section 12-305.

10. *Waiver Request(s)*: The petitioner is not requesting waiver accordance with the Land Development Code, Section 12-282.
11. *Local Concurrency*: As required in the Land Development Code, Section 12-323, Adopted Level of Services, building permits shall not be obtained unless there is sufficient available capacity to sustain the level of service for Potable Water, Sanitary Sewer, Transportation, Drainage System, Solid Waste, Recreation, Police, and Fire.

12. *Compatibility:* The proposed vehicular storage area is allowable within automobile dealerships and is a consistent use along Weston Road. Additionally, the proposed off-site drainage area can be considered compatible and is permitted with residential uses east of Interstate-75.
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Significant Development Review Agency Comments

The following comments represent significant comments made by the Development Review Committee as part of the review process. All comments have been addressed unless otherwise indicated.

Planning and Zoning Division:

1. As per § 12-372 (E) (9), provide a tree survey upon resubmittal.
2. As per § 12-33 (P) (2), the filling of any lake, pond or other water body with material obtained from off-premises in excess of three thousand (3,000) cubic yards shall be permitted only after issuance of a special permit has been approved by the Town Council.
3. As per § 12-260, the spillover measurements on the property line shall not exceed 1 foot-candle.
4. Staff requests letters of authorization from related easement holders approving construction within existing Utility and FPL easements.

Engineering Division:

1. Provide cross-sections for the lake/marsh area and from building to center line of each roadway.
Lake/Marsh area shown, but cross-sections from building to center line of each roadway were not shown on plans.
 2. Approval from CBWCD must be obtained. Provide CBWCD approval prior to site plan approval.
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Staff Analysis

The petitioner's site design meets the intent of the BP, Business Park District. The proposed site plan modification is consistent with the Land Development Code as it relates to access, location, size, and use. The petitioner's proposed project does not exceed what was anticipated by the Future Land Use Plan Map designation of Commercial. The retention parcel consists of a Future Land Use Plan Map designation Residential 1 DU/Acre, no commercial or residential construction will occur on this parcel.

Staff Findings of Fact

Staff finds that the site plan complies with the general purpose of the proposed BP, Business Park District. Furthermore, the site plan modification is in conformance with all applicable Codes and Ordinances in terms of site design, circulation, setbacks, and parking requirements. The proposed site plan modification for vehicular storage is allowable within automobile dealerships and is a consistent use along Weston Road. Additionally, the proposed off-site drainage area can be considered compatible and is permitted with residential uses east of Interstate-75.

Staff Recommendation

Staff finds the application complete and suitable for transmittal to the Site Plan Committee and Town Council for further consideration. The following condition shall be met prior to final site plan approval:

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Site Plan Committee Recommendation

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Town Council Action

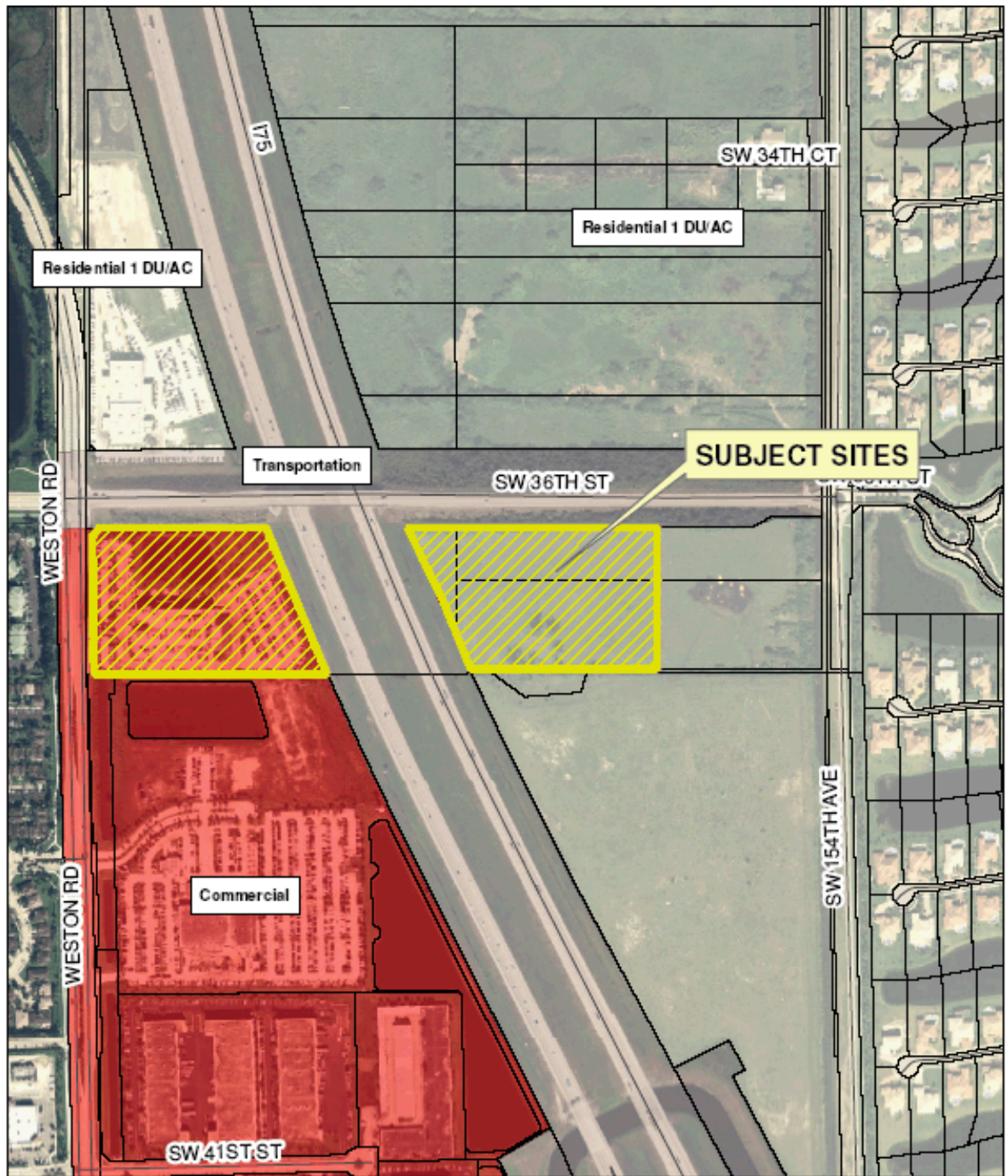
Exhibits

1. Future Land Use Plan Map
 2. Aerial, Zoning, and Subject Site Map
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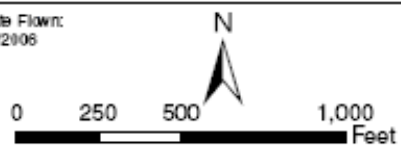
Prepared by: _____
Reviewed by: _____

File Location: P&Z\Development Applications\Applications\SPM_Site Plan Mod\SPM_05\SPM 11-6-05 Weston Nissan-Vovlo

Exhibit 1 (*Future Land Use Map*)



Date Flown:
12/29/06

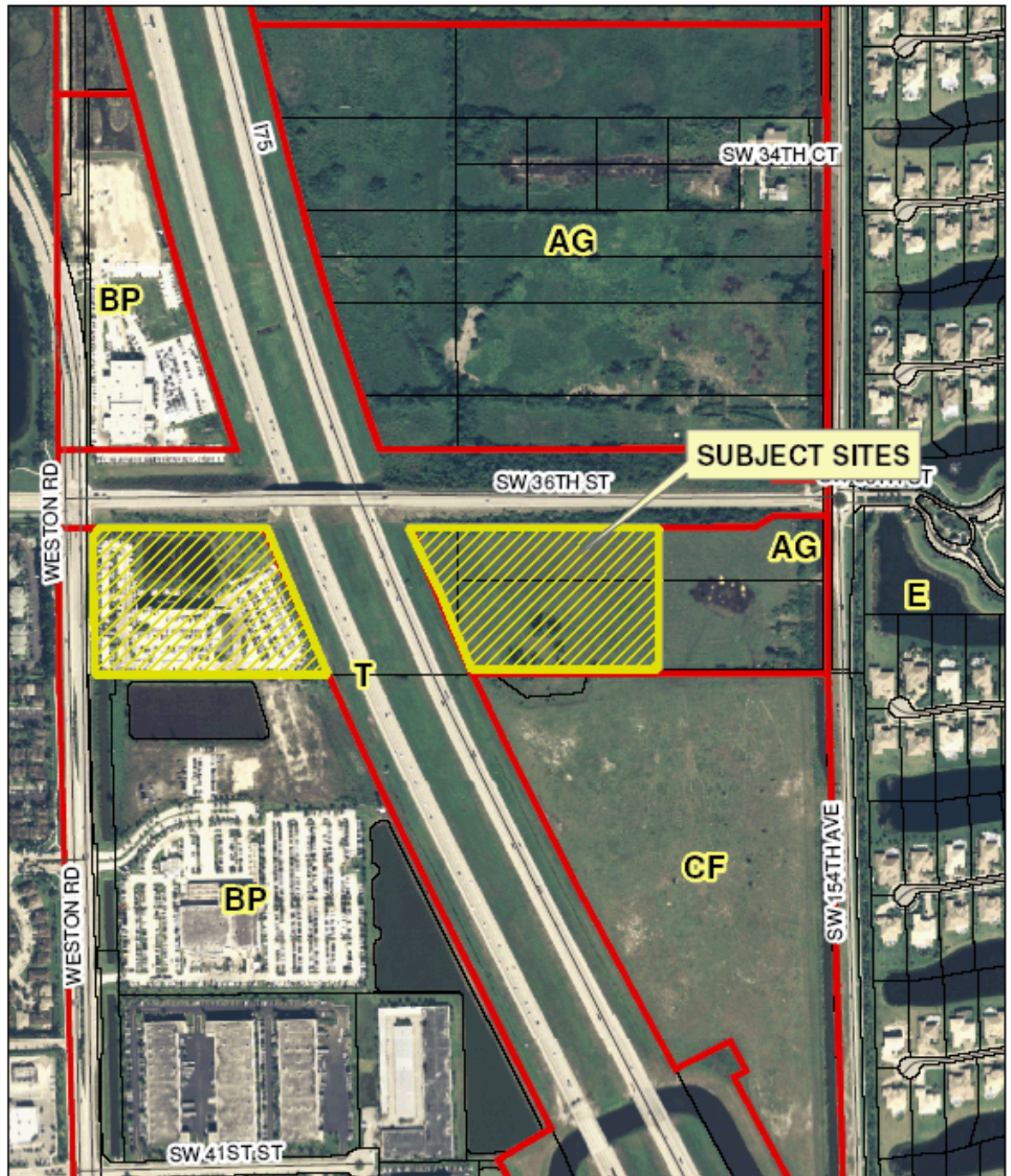


Prepared by the Town of Davie GIS Division

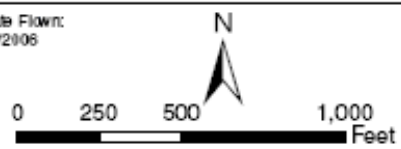
Future Land Use Map

Prepared by: ID
Date Prepared: 7/19/07

Exhibit 2 (*Aerial, Zoning, and Subject Site Map*)



Date Flown:
12/2/06



Prepared by the Town of Davie GIS Division

Zoning and Aerial Map

Prepared by: ID
Date Prepared: 7/19/07

